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July 12, 2017

VIA ECF

Honorable Robert M. Levy
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11205

Re: *Vanessa Scott, individually and obo infant son L.S. et al. v. City et al.*,
17 Civ. 1141 (RRM) (RML)

Your Honor:

I am an Assistant Corporation Counsel in the Office of Zachary W. Carter, Corporation Counsel of the City of New York, representing defendants City of New York and Detective Brajuha (hereinafter “defendants”) in the above-referenced matter. Defendants write with the hope that Court will, *sua sponte*, extend Sgt. David Grieco’s time to respond to the complaint from July 12, 2016 until July 26, 2017. This is the fourth request for an extension of time to respond to the complaint. Plaintiffs’ counsel, Nicholas Mindicino, Esq., consents to this extension. This request should not affect the initial conference, presently scheduled for July 19, 2017 at 2:15 P.M.¹

By way of background, plaintiffs allege, *inter alia*, that on January 28, 2016, February 11, 2016, and April 12, 2016, defendants falsely arrested plaintiffs. Plaintiffs further allege that defendants unlawfully entered an apartment located at 222 Logan Street on several occasions. On June 9, 2017, Your Honor granted defendant City’s request for a thirty (30) day extension of time to answer or otherwise respond to the complaint. Your Honor further noted that defendants Brajuha and Grieco were required to answer the complaint by July 12, 2017. On July 12, 2017, this Office filed an answer on behalf of defendants City of New York and Det. Brajuha.

¹ As discussed herein, this Office has not yet had an opportunity to discuss representation with Sgt. GRieco and, therefore, this request is not made on his behalf.

Defendants now hope that the Court will, *sua sponte*, extend Sgt. Grieco's time to answer the complaint an additional two-weeks, from July, 12, 2017 until July 26, 2017. This extension is necessary because Sgt. Grieco was recently assigned to a new command due to his promotion and is currently on vacation. Accordingly, communication with Sgt. Grieco has been difficult and this Office has been unable to schedule a time to meet with Sgt. Grieco to resolve representation. The requested two week extension should be sufficient time for this Office to schedule a meeting with Sgt. Grieco, resolve representation, and file a responsive pleading on his behalf. As previously noted, this extension should not impact the initial conference presently scheduled for July 19, 2017.

For the foregoing reasons, defendants respectfully hope that the Court will, *sua sponte*, extend Sgt. Grieco's time to respond until July 26, 2017.

Thank you for your consideration herein.

Respectfully submitted,

/s/

Daniel G. Saavedra
Assistant Corporation Counsel

cc: **VIA ECF**
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Attorneys for Plaintiffs